

NOT TO BE PUBLISHED IN OFFICIAL REPORTS

California Rules of Court, rule 977(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 977(b). This opinion has not been certified for publication or ordered published for purposes of rule 977.

**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIFTH APPELLATE DISTRICT**

In re CORINA P., a Person Coming Under the
Juvenile Court Law.

KERN COUNTY DEPARTMENT OF HUMAN
SERVICES,

Plaintiff and Respondent,

v.

CELIA M.,

Defendant and Appellant.

F040560

(Super. Ct. No. JD092964)

OPINION

THE COURT*

APPEAL from a judgment of the Superior Court of Kern County. Peter A. Warmerdam, Juvenile Court Referee.

Carolyn S. Hurley, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance by Plaintiff and Respondent.

-ooOoo-

Celia M. appeals from an order terminating her parental rights (Welf. & Inst. Code, § 366.26) to her daughter, Corina P.¹ Appellant's appointed appellate counsel

* Before Vartabedian, Acting P.J., Levy, J., and Gomes, J.

filed a letter with this court on June 28, 2002, advising that no brief would be forthcoming (*In re Sade C.* (1996) 13 Cal.4th 952). Included in her letter was a “Statement of Facts” summarizing the dependency proceedings in the juvenile court. This court later permitted counsel to withdraw her letter filed pursuant to *In re Sade C.*, *supra*, and extended further time to file a brief on the merits. Once again, counsel advised that no brief would be forthcoming. By order dated September 3, 2002, we extended time for appellant to personally file a brief.

On September 27, 2002, appellant submitted a letter for filing with this court. In her letter, appellant requested a hearing but did not make any claim of trial court error which we could review. Accordingly, we conclude appellant has abandoned the appeal from the order terminating her parental rights.

“An appealed-from judgment or order is presumed correct. (E.g., *Denham v. Superior Court* (1970) 2 Cal.3d 557, 564) Hence, the appellant must make a challenge. In so doing, he must raise claims of reversible error or other defect (see *ibid.*), and ‘present argument and authority on each point made’ (*County of Sacramento v. Lackner* (1979) 97 Cal.App.3d 576, 591 . . . ; accord, *In re Marriage of Ananeh-Firempong* (1990) 219 Cal.App.3d 272, 278 . . .). If he does not, he may, in the court's discretion, be deemed to have abandoned his appeal. (*Berger v. Godden* [(1985)] 163 Cal.App.3d [1113] at p. 1119.) In that event, it may order dismissal. (*Ibid.*) Such a result is appropriate here. With no error or other defect claimed against the orders appealed from, the Court of Appeal was presented with no reason to proceed to the merits of any unraised ‘points’ -- and, a fortiori, no reason to reverse or even modify the orders in question. (See *People v. Brigham* (1979) 25 Cal.3d 283, 289)” (*In re Sade C.*, *supra*, 13 Cal.4th at p. 994.)

DISPOSITION

The appeal is dismissed.

¹ All statutory references are to the Welfare and Institutions Code unless otherwise indicated.